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October 12, 2018

VIA ECF

Honorable Denise L. Cote
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: ***Belleau Technologies, LLC v. JoeAllenPro Ltd., et al.,
No. 18-CV-06319 (S.D.N.Y.)***

Dear Judge Cote:

We represent Belleau Technologies, LLC (“Belleau”), plaintiff in the above-referenced matter. As instructed by the Court (ECF No. 066), the parties have attempted to come to an agreement as to a case schedule. The parties have been unable to reach consensus. The parties’ main disagreement relates to when disclosures of asserted claims and infringement contentions and invalidity contentions would be due.

In accordance with the conference held on October 5, 2018, Belleau understood that the Court expected the parties to exchange disclosures of asserted claims and infringement contentions, and invalidity contentions, in January of 2019. *See* 10/05/18 Transcript, at 16:4-8 (“Because there is a patent here, there are a whole layer of disclosures and contentions and cross-contentions that need to be fleshed out, and I expect that those would begin to be served on each other sometime in January, it’s my expectation.”).

Belleau further understood that the Court urged the parties to engage in settlement discussions, by Christmastime, in an effort to settle this case and avoid the expenses of litigation. *Id.* at 17:2-6; 17:18-20 (“I am also going to want you to talk about, counsel, a schedule for settlement discussions in a meaningfully way. I think that should happen sooner rather than later, because the litigation of this case on the merits is going to be expensive to the plaintiff, expensive to the defendants. . . . I think it’s not too early to think about that mediation happening before Christmastime and cutting through a lot of this, but you will give me your thoughts next week.”).

Belleau's proposed schedule (Appendix A) reflects Belleau's understanding of the Court's instruction. Belleau has conveyed its understanding to defendants' counsel.

In light of the parties' disagreement, Belleau respectfully defers to the Court with respect to a case schedule. We appreciate the Court's attention to this matter.

Respectfully,

/s/ Nicole M. Mazanitis

Nicole M. Mazanitis

cc: Dariush Keyhani (via ECF)

Appendix A - Proposed Case Schedule***Belleau Technologies, LLC v. JoeAllenPro Limited, et al., No. 18-cv-6319 (S.D.N.Y.)***

<u>Event</u>	<u>Deadline</u>
Defendants' answer or responsive motion due	Friday October 26, 2018
Initial Disclosures	Friday November 9, 2018
First set of requests for production/interrogatories due	Tuesday November 20, 2018
Responses to first set of requests for production/interrogatories due	Friday December 21, 2018
Conference	Friday January 11, 2019, 11:00 a.m.
Disclosure of Asserted Claims and Infringement Contentions	Friday January 11, 2019
Invalidity Contentions	Friday January 25, 2019
Amended pleadings; joining parties	Friday February 15, 2019
Complete claim construction document production, exchange preliminary claim construction and extrinsic evidence	Friday February 22, 2019
Joint Claim Terms Chart	Friday March 22, 2019
Opening Claim Construction	Friday April 26, 2019
Opposition to Claim Construction	Friday May 24, 2019
Reply ISO Claim Construction	Friday June 7, 2019
Fact Discovery completed	60 days after ruling on Claim Construction
Opinion of counsel	30 days after ruling on Claim Construction
Opening expert reports due	30 days after close of Fact Discovery
Rebuttal reports due	30 days after opening reports due
Expert Discovery completed	21 days after rebuttal reports due
Dispositive Motion(s) (if any)	30 days after close of Expert Discovery
Oppositions to Dispositive Motion(s) (if any)	30 days after opening briefs due
Replies in Support of Dispositive Motion(s) (if any)	14 days after opposition briefs due
Pretrial Conference	---
Trial	---